

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

UPTIME SYSTEMS, LLC,

Civil No. 20-1597 (JRT/ECW)

Plaintiff,

v.

ORDER

KENNARD LAW, P.C.,

Defendant.

Steven M. Cerny, **SANTI CERNY, PLLC**, 222 South 9th Street, Suite 1600,
Minneapolis, MN 55402, for plaintiff.

Michael J Minenko, **MINENKO LAW, LLC**, 2051 Killebrew Drive, Suite 611,
Bloomington, MN 55425, for defendant.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by
United States Magistrate Judge Elizabeth Cowan Wright dated June 16, 2021, all the files
and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff Uptime Systems, LLC's Motion for Sanctions (ECF No. 52) is

GRANTED IN PART and DENIED IN PART.

2. Defendant Kennard Law, P.C. and attorney Alfonso Kennard, Jr., jointly and
severally, is held liable for the attorney's fees and costs awarded in the Order Granting
Attorney's Fees (ECF No. 70).

3. Attorney Alfonso Kennard, Jr. and the law firm Kennard Law, P.C., jointly and severally, is ordered to pay a monetary sanction, pursuant to Rule 11, to Plaintiff Uptime Systems, LLC.

4. Plaintiff Uptime Systems, LLC is ordered to submit an affidavit regarding its attorney's fees and costs within seven (7) days of an Order adopting this Report and Recommendation, and that Defendant Kennard Law, P.C. and attorney Alfonso Kennard, Jr. shall be given seven (7) days to file any objections only as to the attorney's fees and costs sought by Plaintiff Uptime Systems, LLC.

Dated: August 9, 2021
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court